

CIRCULAR.

No. 365.

POLITICAL DEPARTMENT.

Bombay Castle, 16 January 1889.

Considerable delay and additional work is involved in the practice, which is beginning to increase, of petitioners and appellants transmitting their memorials direct to Government instead of sending them through the Political officer who represents Government on the spot, and whose report on them is invariably required by Government.

2. By Government Resolution No. 1838, dated 24th March 1885, Chiefs were informed that every claim and representation must be made through the Political Agent in writing. By Government Resolution No. 36420, dated 24th September 1888, the orders contained in Government Resolution No. 2897, dated the 26th of May 1874 were revived, which require that Chiefs should address Government in their own names and not through Agents.

3. Government are now pleased to direct that all appeals or memorials to them should be transmitted through the same channel as that laid down above; and at the same time the orders contained in Circular No. 2062, dated 16th March 1888, and No. 4762, dated 14th July, which require Political Agents to transmit all memorials in civil suits, political cases, &c., that are addressed to Government, are so far modified that each Political Agent is authorised to refuse to forward any memorial where the memorialist has already received a reply from Government that was stated to be final, and no fresh grounds of appeal are adduced, or where a distinct rule precludes a further appeal to Government. In such cases a monthly list of memorials so held back or returned, with a statement showing the rule relied on or the grounds of refusal, should be furnished to Government in this form:—

State.	Memorialist's name.	Date of memorial.	Subject.	Reason for holding it back.

B. Deedam
Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent for Sardars in the Deccan,
The Agent to His Excellency the Governor at Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Poona.

No 385

Mundargi 24th January 1889

Copy forwarded to the
Nawal Sahel of Savanur
with the compliments of the
undersigned.

Iskurin

Recd
26/1/89.

ag Collector and
Col: Agent.

Filed dated 27th January 1889.

W. Y.
Nawal Sahel,

Native States.

Examination of subjects of — who are
candidates for sanads to practise as
Pleaders in British Courts in —.

No. 593.

POLITICAL DEPARTMENT.

Bombay Castle, 23rd January 1889.

Letter from the Acting Registrar, High Court, Appellate Side, Bombay, No. 73, dated 18th January 1889—Stating, in reply to this Department letter No. 8002 of the 3rd ultimo, that the Honourable the Chief Justice and Judges have no objection to the subjects of Native States, who are candidates for sanads under the new rules, appearing for the Pleaders' Examination to be held on the 4th March 1889, and that the said new rules may be made applicable to the said examination.

RESOLUTION.—It should now be notified, with reference to paragraph 2 of Government Resolution No. 8001, dated 3rd December 1888, that the rules in Government notification No. 6792, dated 12th October 1888, should be regarded as already in force, and that the first examination under the rules will be held on 4th March 1889.

2. The time for sending in the certificates referred to in Rule 3 should be extended to the 14th day of February for this first examination only.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár (with a request that he will communicate purport to petitioners Kanjee Nathoobhai Tank and another, referred to in Government Resolution No. 8001, dated 3rd December 1888),
All other Political Officers,
The Judicial Department of the Secretariat,
The Registrar of Her Majesty's High Court, Bombay (by letter),
The Editors' Tables, Bombay, Poona and Dhárwár (with copies of Resolutions No. 6790, dated 12th October 1888, and No. 8001, dated 3rd December 1888).

NOTE.—The notifications will appear in the next Government Gazette.

No 623

Received
4 February 1889

Copy forwarded for
information to the Nawab
of Savanur with the Political
Agents' compliments. Return
12
to ag collector and Polt

Recd
5/2/89

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Abdul Kader
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to be added to the list of cases in which the

Native States — Examinations, all cases in which

the relative to the proposed to be adopted or chosen

in Political Agencies for the purposes of the

granted to pleaders, under No 14 of the

rules contained in Government Resolution

No 6790, dated the 12th October 1888.

to be added to the list of cases in which the

No. 5889 of 1895.

to be added to the list of cases in which the

Political Department.

Bombay Castle, 23rd September 1895.

Read again Government Resolution No 2200,

dated the 1st April 1895 — directing the

insertion of the words 'to the Political Agent'

after the word 'application' in the two places

where it occurs in rule 14 of the rules con-

tained in Government Resolution No 6790 (or

Government notification No 6792), dated the

12th October 1888; and the substitution

of the words 'to the Political Agent' in the two places

• The prescribed fee as notified by the Political Agent with the approval of Government; for the words "a person" in the word "person" in the rules of 1888 were sent of the above addition and alteration, and requesting the Political officers other than the Political Agent Kathiawar to submit proposals as to the amount of the fee to be hereafter levied in their respective agencies.

Letter from the Collector and Political Agent, Nasik, No. 2944, dated the 12th April 1895- Reporting, with reference to Government Resolution No 2200 of the 1st April 1895, that it is unlikely there would be any aspirant for examination from the Sargana state, and observing that he therefore thinks it unnecessary to submit his proposals as regards Sargana.

Endorsement from the Commissioner, S.D.,

No. Pol. 79, dated 12th April 1895, forwarding

the above.

Letter from the Collector and Political Agent,

Kolabar, No. 3421, dated the 3rd June 1895 - stating

with reference to Government Resolution

No. 2200, dated the 1st April 1895, that the Hawaldar

of Janjira has full jurisdiction in civil and criminal matters within his dominion

and that there are no Courts in that Agency

to which the rules in question apply, and

that he has therefore no proposal to make

in respect of the fee to be levied under

rule 74 of the rules published under Government

notification No. 6792, dated the 12th October

1888.

Endorsement from the Commissioner, S.D.,

No. 205, dated the 12th June 1895 - forwarding the above.

Letter from The Collector and Political Agent

Thana, No. 40212, dated the 3rd May 1895

stating with reference to Government Resolution

dated the 25th April 1895, No. 2200, dated the 25th April 1895

he has no proposals to submit relative to the

fee to be levied in the cases in question

as there are no courts in the native state

of Bhor under his control which have been

established by the authority of the British Government

or are presided over by officers appointed

by the British Government.

Endorsement from the Commissioner, C.D.,

No. 40212, dated the 2nd July 1895 Forwarding

the above.

Memorandum from The Collector and

Political Agent, Thana, No. 40212, dated the 2nd

July 1895, stating with reference to Government

Resolution No 220 dated The 1st April 1895,
That the rules in question do not appear to
apply to Thana agency, as there are no courts
in the jawhar state established by the authority of
or presided over by officers appointed by the
British Government.

Letter from the collector and Political Agent

Kaira, No 1197, dated the 10th April 1895 - Report-
ing, with reference to Government Resolution

No 220 dated the 1st April 1895, that he has no

proposals to submit in reference to the amount
of fees to be charged for the grant of sanads

to barristers, &c, wishing to practise in the

agency courts, as Cambay is a 1st class and

therefore full jurisdiction state.

15 Endorsement from the Commissioner, No 399, dated the 29th June 1895 - Forward

about

Letter from the Political Agent Kewas Kantha,
No 544, dated the 13th April 1895 - stating with
reference to Government Resolution 2200 dated
12th April 1895, that there are no rules in force
for the examination and admission of pleaders ..

to practise in the Courts of that "Agency", nor
does it seem desirable to make any such
rules at present as there is comparatively
little civil work.

Endorsement from the Commissioner, R. D.,
No 400 dated the 29th June 1895 - Forwarding
the above in continuation of his Office No 399,
dated the 29th June.

Letter from the Political Agent, dated No 717,
dated the 12th June 1895 - stating, in reference to
Government Resolution No 2200 dated the 12th April

1895, that as there are no qualified persons
in that agency under the rules of 1888, and
no applications from such have ever been
received to practice as pleaders in that agency

there does not appear to be any necessity

to prescribe a scale of fees to be levied

Letter from the Political Agent, Inaki Kautla,

No 1657, dated the 8th May 1895 - stating with

reference to Government Resolution No 2200 dated

the 12th April 1895, that after careful consideration

he has come to the conclusion that there is no

objection to adopting for that agency the

rules contained in the Kathiawar Agency

Notification No 26 dated the 19th of May 1894,

in their entirety.

Letter from the Collector & Political Agent

6

Salare No 149 dated the 6th May 1895 -

Stating, in reference to Government Resolution
No 2200 dated the 1st April 1895, that after careful
consideration his opinion that a fee of Rs 5
will be sufficient to be levied in that agency
under rule 14 of the rules of 1888.

Memorandum from the Commissioner in Sind

No 346 dated the 1st July 1895 - Observing, with
reference to Government Resolution No. 2200 dated
the 1st April 1895, that the rules in question are not
likely to be any use in Sind; that in the very
~~rare instances~~ of a case there is no Political
Court established in any Native State; that
in the very rare instance of a case occurring
in the Court of the Political Agent, Khairpur,
that officer will at his discretion permit the
appearance of any person who has been duly
invested with authority to practise in the Sind
Courts; and that in fact the only rule that

proposed - that for reasons it is well known
which the made would be that (on the analogy
of the latter part of previous authorized pleadings

in such should be granted permission to appear

in the Political Agent's Court for the draft of a

petition or appeal on payment of a fee of Rs 5/-

in each case, but that cases at present seem

too rare to justify the rule which would probably

become obsolete from want of use.

Letter from the Agent to His Excellency the Governor

at Surat, No 378 dated the 25th June 1895, - Reporting

with reference to Government Resolution No 2200

dated the 1st April 1895, that he is of opinion that

if any fee is levied it should be Rs 10 for a

General license to plead in the Surat agency

and Rs 5 for a special license. Requesting a

reference to his letter No 482 of the 13th July 1893

to the Commissioner, No. D., and observing that cases

are very few in the courts of that Agency
except those from Sachin in which the direct
administration is exercised by Agency officers.
Giving it as his opinion that to demand a
separate band for practising in Agency courts
will cause hardship and dissatisfaction and
is not necessary under the circumstances.

Endorsement from The Commissioner, R. D.,
No. 401 dated the 29th June 1895 - Forwarding the
above in continuation of his office No. 400 dated
the 29th June 1895 and adding that the Agent's
letter No. 482 dated 13th July 1893 was submitted to
Government with the Commissioner's letter No. 650
dated 11th October 1893.

Letter from the Acting collector and political Agent Sholapur No. 1391 dated the 27th April 1895.	Submitting with reference to Government Resolution No. 2200 dated the 1st April 1895, their proposals
Letter from the collector & Political Agent Khandesh, No. 4368 dated 26th June 1895.	

Endorsement from the Commissioner, C.D.,

No. Pol. - 126, dated the 2nd July 1895.

Transmitting the above two reports.

Letter from the Political Agent Solapur &

Southern Maratha Country, No. 189 dated the

20th June 1895.

Letter from the Political Superintendent

Solapur No. 2130 dated 13th July 1895.

Endorsement from the Commissioner

S.D., No. 442 dated the 18th July 1895.

Forwarding the above report, in continuation

of his office No. 401 dated 29th June 1895.

Letter from the Political Superintendent

Savantwadi No. 2035 dated the 12th

June 1895.

Endorsement from the Commissioner

S.D., No. Pol-220 dated the 24th June 1895.

Forwarding the above report.

Letter from the collector & Political

Agent Bharewar No. 5007 dated 17th July 1895.

to be levied
for sanads
granted by
them to
native state
pleaders
wishing to
practice in
the Political
Courts of
their respec
tive juris
dictions.

Endorsement from The Commissioner, S.D., Bhopal.

261 dated the 24th July 1899.

Resolution. — Having regard to the different

conditions obtaining in the various Agencies,

uniformity in the scale of fees to be levied

for sanads granted to pleaders is necessarily

impracticable. It is clearly unnecessary

to prescribe any fees in Political Agencies

where there is no probability of candidates

appearing for the examination. Consequently

no fees need be fixed in the Vadik, Kohaba,

Poona, Phana, Kaira, Rewa Kantha and

Cutch Agencies. Nor is there any apparent

necessity for prescribing fees in Sindh or the

Surat Agency where the practice of the Agency

Courts is assimilated to that of the British

Revenue & Magisterial Courts.

2 As regards the remaining agencies,
the collector and Political Agent, Salara,
considers it sufficient to levy a fee of Rs. 50
in the two small states in that agency.

The collector & Political Agent Khandesh pro-
poses the same fee for the Dangs. The Political

Agent, Mahi Kantha, sees no objection to
adopting for that agency the rules contained
in the Kathiawar agency notification No. 26
dated the 19th May 1994, in their entirety. There

is said to be no distinction in Mahi Kantha
as in Kathiawar in the class of Vakils, under
which the practice of some is confined to the
Prant Courts while others are allowed to
plead in all courts. Clause (c) of rule 8
will therefore disappear from the notification

19 to be issued from that agency. And rules 9

and 72 will also be omitted as unnecessary.

Some minor clerical alterations are necessary

to adapt the Kathiawar notification to the

Mahikantia agency as shown in the draft

notification submitted by the Political agent

for the approval of Government. The Political agent

also suggests that the year should be the

official year and that fees should be levied

under the rules in question from the 1st April

1895. The Political Superintendent, Savantvadi,

proposes a fee of Rs 25 for the sanad authorizing

its holder to practise in the courts of that super-

intendency. In consideration of the small incomes

derived by pleaders at present practising in the

superintendency courts in the Savantvadi state,

Colonel Hutt is not disposed to recommend the

levy of any annual fees for the continuance of

... ~~the~~ ~~sanads~~ ~~to~~ ~~those~~ ~~persons~~ ~~to~~ ~~whom~~ ~~they~~ ~~may~~ ~~hereafter~~ ~~be~~ ~~granted~~. The Political Agent,

Kolhapur and Southern Maratha Country, pro-

poses that the following scale of fees be levied

in that Agency:-

Admittance fees.

(1). On sanads authorizing a pleader to
practise in all the Courts of the Agency. Rs 30

(2). On sanads authorizing a pleader to
practise in the Courts of the District

Political Agents. ————— 20

The Political Agent also recommends that
annual fees of similar amounts respectively

be levied on the above sanads; and that

Mukhtyars appearing on powers of attorney be

required to pay a fee of Rs 3 in each suit in

which they may be engaged. The collector

and political agent Bharwar, proposes on the ground that uniformity with the neighbouring states should be maintained the same ~~scale~~ scale as the political agent Kolhapur and Southern Maratha Country. The Acting collector and Political Agent, Sholapur, reports that at present the pleaders practising in the Political Agent's Court pay no fees, and he proposes, as the practice obtainable in that agency is not so large as in Kathiawar, that fees ^{equal to} half of those charged in the Kathiawar agency be prescribed for the various classes of authorized practitioners, and translators.

The Political Superintendent Palampur, submits the following scale of fees for that Superintendency.

For all barristers and advocates of the High Court of Bombay	Rs 50
(1) Attorneys at-law of the High Court of Bombay	30
(2) Pleaders of the High Court of Bombay	
(3) Persons holding the degree of Bachelor of Laws of the University of Bombay	

3 The fees proposed by the respective Political Agents, as mentioned in the above paragraph, are approved, as also the draft notification submitted by the Political Agent, Mahi Kantha, Government are, however, unable to approve the suggestion of the Political Agent, Kolhapur and Southern Maratha Country, and the Collector and Political Agent, Bharwar, that a fee of Rs 3 should be levied from Mukhtyars in each case in which they may be engaged.

G. W. Vidal

By Chief Secretary to Government.

22/9
The commission in lieu,
The Collector & Political Agent, Bharwar.

No 7027 Bharwar.

30 September 1895.

Copy forwarded for information and guidance

to the Anth: Poll: Agent:

J. Fairlie Mini,

'Poll: Agent'

No 258 Bharwar

12th October 1895.

Forwarded to the Bivau of Savannu for
information & guidance.

To be returned

A. Lucas

A. P. A. Savannu.

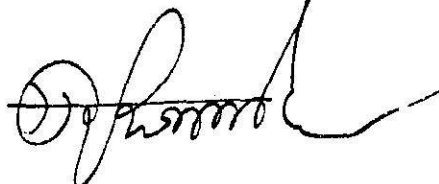
No. 22 of 1895-96.

Savannu 21st of October 1895.

Returned with Compliments.

I beg to state that a copy of the resolution
has been taken and placed on record for reference.

~~Not~~



Bivau of Savannu.

Civil appeals.

Complete lists to be furnished of
proceedings in

No. 565.

POLITICAL DEPARTMENT.

Bombay Castle, 22nd January 1896.

CIRCULAR.

Political Agents are requested to forward, with the record in civil appeals and applications to Government, complete lists in English of all the papers and proceedings in each case. In order to facilitate the proper preparation of such lists and to otherwise regulate the practice in the Courts subordinate to the Agencies, those Courts should be directed to keep books, diaries and registers in the form and in the manner prescribed at pages 40, 41, 42, 43, 249, 252 and 255 of the Circular Orders issued by the High Court of Bombay for the guidance of the Civil Courts and Officers subordinate to it.

G. W. VIDAL,

Acting Chief Secretary to Government.

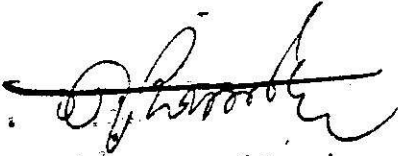
To

All Political Agents (except the Political Resident, Aden).

No. 741 Camp Haven 22 January 1896.
Copy forwarded for information & guidance to
the Divs.
29/1/96 23 J. Fairlie Muir

By translating the Circular into vernacular, the copy is given
to the Divan^{Daplar} for record and this circular is disposed of
in ^{the} English file.

Dated 31st January 1896 {


Divan Lavinor.

and to otherwise regulate the

subordinate to the Agencies, those

are directed to keep books, diaries

for the purpose of making records

(41, 42, 43, 249, 250, 251, 252)

all documents in relation to the same
to be issued by the High Court of Justice

in the exercise of the Civil Courts and

in the exercise of the Criminal Courts and
(S)

24 Acting

(1) *Assist. Political Agent.*
 No 53 of 1895/96.
 Received by the *Assist. Political Agent.*
 and is recorded in the file and
 a translation is given to the
Assist. Political Agent.
 (2) *Assist. Political Agent.*
 Signed
 Sivan Savenur

Civil Appeals.

Complete lists have been furnished
of proceeding in —

(No 565- Indian R. Inst

Political department
22nd January 1916.

searching for instance of

Political agents are required to forward,

in Civil appeals and applications

to Government complete lists in English of all

The papers and proceedings in such cases in order

to facilitate the proper prosecution of the rights

No 1306 of 1896.

Political Department.

Bombay castle 17th February 1896.

Memorandum.

Government Resolution
No 878, dated the 1st Feb
1896, relative to certain
information required
regarding appeals re-
ceived by Government
from decisions of
Agency Courts.

The undersigned presents compliments
and has the honour to request that the Collector &
Political Agent Dharwar will be so good as to ex-
pedite the transmission of his reply to the reference
noted in the margin.

(sd) F. A. Spencer.

For ag. Chief Secretary's Govt.

No 1274 Camp

22nd March 1896.

Forwarded to the Assistant Political Agent for
compliance with reference to my letter No 1016 dated
10th Instant.

(sd) J. Fairlie Muir

Collector & Political
Agent

Below Poll: Agents' No 1274 of 22nd February 1896.

No 41 Camp Dharwar.

24th February 1896.

Forwarded to the Divan of Savanur for early

compliance with reference to this office No 32 of 13th

(sd) A. Lucas

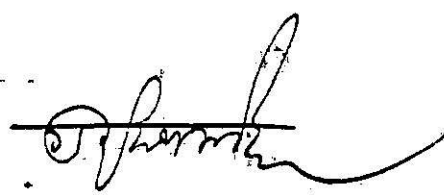
Assistant Poll: Agent

No 69 of 1895/96

Lavanur 17th March 1896.

Returned with compliments to the First Assistant Collector & Assistant Political Agent.

I beg to state that the information called for & required has been sent up with my office No 67 dated 7th March 1896.


Divan of Lavanur.

Application for the Exercise of Extraordinary
Jurisdiction No 33 of 1896.

Sholapur.

Kirachand Benichand Gungar of Akalkot } ^{applicant}
Original
judgment-
creditor.
vs.

Martandras bin Yeshu autras Daiti } Opponent.
Original
judgment-
debtor.
Kumbalkar of Bagehalli

No. 3292.

Political Department.

Bombay Castle, 19th May 1896.

Letter from the Political Agent, Sholapur, No 1196,

dated the 2nd April 1896 - Submitting for the
orders of Government, an application, dated the
22nd November 1895, from Kirachand Benichand
Gungar of Akalkot for the exercise of extraordinary
jurisdiction in the matter of a decision of the
Political Agent's Court, dated the 16th August
1895, regarding a dispute about a money claim.

Forwarding also the proceedings, together with a

rejoinder from the opposite party.

Memorandum from the Commissioner, C.D., No

Pol. - 98, dated the 8th April 1896 - Forwarding the

~~absolute~~
1. ... } ~~absolute~~
2. ... }

Resolution. - The applicant should be informed
that there are no grounds for the intervention
of Government on his behalf. His application
is therefore rejected.

2. It should be pointed out to the Political
Agent - that the opponent has been put to the
unnecessary expense of preparing a rejoinder to
this application. No rejoinder should ever be
called for to applications for the exercise of the
extraordinary jurisdiction of Government, except
under the express orders of Government. The
Political Agent's attention should also be
directed to paragraph 2 of Government Resolution
No 4583 of the 16th July 1892 under which it was not

necessary for him to give notice to the parties
of the hearing of the appeal disposed of by his order
of the 16th August 1895, unless on receipt of the
appeal and examination of the record he saw
reason for holding that injustice had been
done. Apparently in the present case, the Political
Agent was satisfied that complete justice
had been done as between the parties both in
the Court of first instance and by the Raja.

3. The procedure prescribed by the Resolution
of the 16th July 1892, should be followed in
future cases.

C. C. K. Alliswani:

Acting Chief Secretary to Government

To: - The Commissioner, R. D.,

— do — C. D.,

do — S. D.,

The Political Agent, Sholapur (with the
record & proceedings). 27.

All other Political officers (except the Political
Resident, Aden) (with reference to the first
two sentences of para 2.).

No 3743 Bhawanar. 28 May 1896.

Copy forwarded for information to the agent:

Poll: agent

L. G. Datta

Head clerk
for poll: agent

No: 84 Bhawanar
30th May 96

Forwarded in original to Rao Bahadur

Brown Savanar for information

K B 2 of 1.

for Poll: agent

Savanar.

No: 80
of 1895-96

Savanar 30 June 1896

Returned on perusal to the poll. agent

Savanar state with the compliments of the

undersigned

2nd division
for Division of Savanar.

Received
on 30th
6.25 - -